



Security Council

Distr.
GENERAL

S/23667
2 March 1992

ORIGINAL: ENGLISH

REPORT BY THE SECRETARY-GENERAL CONCERNING THE CREDENTIALS OF THE DEPUTY REPRESENTATIVE OF VENEZUELA ON THE SECURITY COUNCIL

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 27 February 1992 from the Permanent Representative of Venezuela to the United Nations stating that Mr. Carlos Bivero has been appointed deputy representative of Venezuela on the Security Council.

In the opinion of the Secretary-General, this letter constitutes adequate provisional credentials.



Security Council

Distr.
GENERAL

S/23668
3 March 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 27 FEBRUARY 1992 FROM THE PERMANENT
MISSION OF EGYPT TO THE UNITED NATIONS ADDRESSED TO
THE SECRETARY-GENERAL

The Permanent Mission of the Arab Republic of Egypt to the United Nations presents its compliments to the Secretary-General and with reference to the latter's note dated 13 February 1992, and to our note dated 9 January 1992, in response to the Chairman of the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia, note dated 7 February 1992, has the honour to inform that the Government of the Republic of Egypt would like to reiterate that it honours its obligations under the Charter of the United Nations, with regard to the implementation of all Security Council resolutions pertaining to Yugoslavia. As for resolution 724 (1991), Egypt would like to communicate that it has no contracts with nor has it delivered arms and military equipments to Yugoslavia.



Security Council

Distr.
GENERAL

S/23669
3 March 1992
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 2 MARCH 1992 FROM THE PERMANENT REPRESENTATIVE OF
IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I wish to inform you that the United States Air Force continued to violate Iraqi airspace during the period from 18 to 27 February 1992 for the purpose of surveillance and provocation, as follows:

18-19 February 1992

Thirty-one sorties flown by 13 two-aircraft formations and five single aircraft at speeds of 600-900 km/h and at altitudes of 2,000-7,500 m, centred on Irbil, Mosul, Dohuk, Tall Afar, Amadiyah, Zakho, Dukan and Rawanduz.

19-20 February 1992

Nine sorties flown by four two-aircraft formations and one single aircraft at speeds of 600-750 km/h and at altitudes of 4,000-5,000 m, centred on Zakho, Amadiyah, Ayn Zalah and Dohuk.

20-21 February 1992

Seven sorties flown by three two-aircraft formations and one single aircraft at speeds of 750-900 km/h and at altitudes of 6,000-7,000 m, centred on Mosul, Irbil, Dohuk, Zakho, Amadiyah and Tall Afar.

21-22 February 1992

Eleven sorties flown by three two-aircraft formations, two single aircraft and one three-aircraft formation at speeds of 600-900 km/h and at altitudes of 4,000-7,500 m, centred on Irbil, Tall Afar, Ayn Zalah, Dohuk, Zakho, Amadiyah, Dukan and Rawanduz.

24-25 February 1992

One sortie only flown over Amadiyah by one single aircraft at a speed of 900 km/h.

S/23669
English
Page 2

25-26 February 1992

Thirty-three sorties flown by 14 two-aircraft formations and five single aircraft at speeds of 600-900 km/h and at altitudes of 3,000-8,000 m, centred on Amadiyah, Irbil, Mosul, Zakho and Dohuk.

26-27 February 1992

Thirty sorties flown by 15 two-aircraft formations at speeds of 600-900 km/h and at altitudes of 1,500-5,500 m, centred on Mosul, Irbil, Dohuk, Tall Afar, Amadiyah and Zakho.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative



Security Council

Distr.
GENERAL

S/23670
3 March 1992
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 3 MARCH 1992 FROM THE PERMANENT REPRESENTATIVE OF
IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I wish to inform you of the fresh Iranian violations of the provisions of the cease-fire during the period from 13 to 28 February 1992, as follows:

1. At 1400 hours on 13 February 1992, the Iranian side set up a 106-mm gun at geographical coordinates 440051 in the central sector (map of Khanaqin).
2. At 0930 hours on 18 February 1992, an Iranian helicopter was seen coming from the Iranian rear. It overflowed Naft-e Shah at geographical coordinates 456647 inside the area of separation in the central sector (map of Khanaqin).
3. At 1010 hours on 18 February 1992, an Iranian helicopter was seen coming from the Iranian rear in the direction of the Khosravi junction at geographical coordinates 440050. It then returned to the Iranian rear inside the area of separation in the central sector (map of Khanaqin).
4. At 1120 hours on 18 February 1992, a gray-coloured Iranian fixed-wing aircraft violated Iraqi airspace at low altitude and at low speed at geographical coordinates 901932 and penetrated 2.5 kilometres inside Iraqi airspace. It then returned to the Iranian rear in the central sector (map of Tahiri).
5. At 1930 hours on 20 February 1992, 21 persons from the Iranian side, with three officers, three men in turbans and three civilians armed with three launchers and three PKC machine-guns, while the others were armed with rifles, were seen halting at geographical coordinates 874329 inside the area of separation. They then approached the Iraqi units and afterwards returned to their point of departure. At 0025 hours on 21 February 1992, they returned to the Iranian rear in the southern sector (map of Tahiri).
6. At 1440 hours on 21 February 1992, one person from the Iranian side fired shots from a Kalashnikov in the direction of the Iraqi units at geographical coordinates 911861 inside the area of separation in the southern sector (map of Tahiri).

7. At 1035 hours on 22 February 1992, a gray-coloured civilian fixed-wing aircraft was seen flying at low speed at an altitude of 4,000 metres at geographical coordinates 919854 coming from the Iranian rear. It returned in the direction of the town of Muhammarah inside the area of separation in the southern sector (map of Tahiri).
8. At 0925 hours on 22 February 1992, 10 persons from the Iranian side wearing civilian clothes were seen at geographical coordinates 418111 digging a foundation for an Iranian guard post inside the area of separation in the central sector (map of Khanaqin).
9. At 1330 hours on 24 February 1992, the sound of an explosion and the impact of an 81-mm shell was heard in front of the Iraqi units at geographical coordinates 539718 inside Iraqi territory in the southern sector (map of Baydah).
10. At 1200 hours on 26 February 1992, the Iranian side fired two 60-mm illuminating mortar shells at geographical coordinates 557523 in the northern Majnun oilfield inside the area of separation in the central sector (map of Baydah). The interval between the two bombs was five minutes.
11. At 1430 hours on 27 February 1992, six persons from the Iranian side approached the Iraqi units at geographical coordinates 557382 inside the area of separation and then returned to their positions (map of Baydah).
12. At 1700 hours on 27 February 1992, three officers from the Iranian side approached the Iraqi positions at geographical coordinates 562469 in northern Majnun inside the area of separation and then returned to their positions (map of Baydah).
13. At 1215 hours on 28 February 1992, an Iranian vehicle carrying 50 unarmed persons from the Iranian side, including four officers, approached in front of the Iraqi positions at geographical coordinates 562469 inside the area of separation and deployed on the Iranian embankment. A group of them in civilian dress, estimated to number 15, attempted to approach the Iraqi positions claiming that they had brought a picnic and wanted to make the acquaintance of the Iraqi forward units. From there they returned to the Iranian rear (map of Baydah).

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative



Security Council

Distr.
GENERAL

S/23671
3 March 1992

ORIGINAL: ENGLISH

FURTHER REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS
ANGOLA VERIFICATION MISSION (UNAVEM II)

INTRODUCTION

1. As members of the Security Council will recall, the Peace Accords for Angola signed by the Government of Angola and the National Union for the Total Independence of Angola (UNITA) 1/ provide for the following:

"Free and fair elections for a new Government will take place following voter registration conducted under the supervision of international election observers, who will remain in Angola until they certify that the elections were free and fair and that the results have been officially announced."

2. On 30 May 1991, the Security Council adopted resolution 696 (1991) and approved the Secretary-General's report of 20 May 1991 2/ with its recommendations for specific action by the United Nations to assist in implementation of the Peace Accords. Paragraph 9 of the report referred, in particular, to the possibility of United Nations involvement in the Angolan electoral process. It was understood, however, that the two sides had not yet decided which international organization or organizations they would request to provide technical advice on certain electoral matters, as well as supervision of the elections by international election observers.

3. As members of the Security Council were informed, on 5 December 1991, the Permanent Representative of Angola delivered to my predecessor two letters dated 8 November 1991, signed by the Minister for External Relations, H.E. Mr. Pedro de Castro Van-Dunem "Loy". One of the letters formally requested the Secretary-General to send United Nations observers in order to follow the Angolan electoral procedure until its completion in the fall of 1992. It specifically emphasized the full commitment of the Angolan Government to establish a multiparty democracy and to consolidate peace in that country. The other letter contained a request for United Nations technical assistance to help the Angolan Government to prepare for and conduct the forthcoming elections.

4. With regard to the second letter, I have already initiated the early provision of technical assistance on electoral matters to Angola. This is being organized and coordinated by the former Department of Technical Cooperation for Development and the United Nations Development Programme (UNDP) in the framework of their respective programmes, and voluntary contributions are being sought from prospective donors. In January 1992, the Angolan Government, UNDP and the Department of Technical Cooperation for Development signed a project covering such technical assistance. The project provides for assistance to the Angolan authorities through a small team of international and national consultants on election organization, logistics and communications, and emphasizes the coordination of at least part of the bilateral foreign assistance through UNDP.

5. As regards United Nations observation of the elections, the Secretary-General stated on 20 December 1991, at informal consultations of the Security Council, that the following considerations were particularly relevant to the Angolan request.

6. First, the request clearly pertained to a situation with an international dimension with which the Council had been seized since it established UNAVEM II to monitor the cease-fire arrangements agreed to in the Peace Accords. Second, the conduct of internationally supervised elections constituted the central element in the implementation of the Peace Accords. Third, in order to verify the fairness and impartiality of the elections in Angola, the monitoring should cover the entire electoral process, including voter registration. Fourth, the introduction of a United Nations presence in the electoral process had been officially requested by the Angolan Government at an important point in the peace process. And fifth, there was broad public support in Angola for the United Nations to assume such a role. Bearing these considerations in mind, the Secretary-General said, in the informal consultation on 20 December 1991, that he intended to recommend that the Security Council authorize a mission to observe the future elections in Angola. But first, it was his intention to send a preliminary survey team to Luanda to prepare a comprehensive report on such a mission. On the basis of that report he would present his recommendations for the consideration of the Security Council.

7. Having consulted President dos Santos as well as Mr. Jonas Savimbi, President of UNITA, I addressed a letter on 6 February 1992 to the President of the Security Council 3/ informing the Council of my decision to appoint Miss Margaret Joan Anstee, then Director-General of the United Nations Office in Vienna, to the post of my Special Representative for Angola, with effect from 7 February. The members of the Council welcomed this decision. 4/ The Special Representative is to coordinate the current and projected activities of the United Nations in connection with the Angola Peace Accords. She is in overall charge of these activities and is also the Chief of UNAVEM II. I also indicated my intention to recommend that, in addition to its existing military observers, police monitors and civilian staff, UNAVEM II should be enlarged to include an Electoral Division. It is intended to establish in March 1992 an office of the Special Representative in Luanda, with a staff of international

civil servants, to assist my Special Representative in coordinating all United Nations activities related to the Angolan peace process.

8. I asked my Special Representative to make an immediate visit to Angola in order to assess developments in the peace process and to report to me with recommendations concerning the United Nations role in observing the forthcoming elections. Miss Anstee, accompanied by a small team, visited Angola from 17 to 20 February 1992. She was briefed by the Chief Military Observer of UNAVEM II and his staff and had extensive discussions with the heads of the government and UNITA delegations to the Joint Political-Military Commission (CCPM), as well as with the heads of the observer delegations to the CCPM (Portugal, Russian Federation and United States of America), the Minister for the Administration of the Territory who is currently in charge of preparations for the elections, and the UNDP Resident Representative and the representatives of several United Nations agencies. She was received by Mr. Savimbi, President of UNITA. The Special Representative also attended a CCPM meeting on 20 February 1992, as well as a conference, organized by the Ministry for the Administration of the Territory, bringing together donor countries that have indicated their willingness to provide some financial and material assistance for the electoral process. In addition to these consultations in Luanda, she visited the province of Uije to see the situation in the FAPLA assembly area at Negage and in the FALA assembly area at Quipedro.

I. THE CURRENT STATE OF THE PEACE PROCESS

9. There are several positive elements in the report on the current state of the peace process that my Special Representative presented to me following her visit to Angola. But there are also a number of matters which give cause for concern.

10. Nine months after the signing of the Peace Accords, a great deal has been achieved and the Angolan peace process is generally developing along the lines of the Accords, although there have been delays and gaps in the completion of some of the major tasks. Despite some incidents, there has been no major violation of the cease-fire, an outstanding achievement for which both the Government and UNITA deserve congratulation after 16 years of civil war. Both parties have repeatedly reaffirmed their commitment to the non-renewal of hostilities. The joint commissions composed of the Government, UNITA and the three observers (Portugal, Russian Federation and United States), with the participation of UNAVEM II, as well as the Government/UNITA monitoring groups, continue to function. The first phase of the training of the new armed forces (half of whose strength will come from the Government's forces and half from UNITA) was completed in February 1992.

11. However, after initial progress in the implementation of the Peace Accords, work on most of the deadlines provided for in the Lisbon documents or in the subsequent undertakings is well behind schedule. The most worrying matter concerns the confinement of troops in the 48 designated assembly

/...

areas. As at 26 February 1992, UNITA had confined 93 per cent of the troops it is supposed to assemble, while the percentage of government troops accounted for by UNAVEM II had dropped to 54 per cent of the already revised projected total. Despite efforts under a special programme, launched in September 1991 by the United Nations, to assist the soldiers and their dependants in assembly areas, the numbers of FAPLA forces in the assembly areas have decreased substantially, as a consequence of the scarcity of food, poor living conditions, lack of pay and lack of leadership. There is unrest in many FAPLA assembly areas and this only adds to the precarious security situation in many parts of the country. On 20 February, CCPM, in the presence of my Special Representative, took a decision on a precise timetable for demobilization, which aims to complete the process at the end of July 1992. However, the practical steps to implement this plan have yet to be finalized. Government and UNITA delegations are also working on a plan to collect and store all weapons, from both inside and outside the assembly areas, in regional armouries.

12. After protracted delays, the Government and UNITA have designated their members for the joint police monitoring teams whose task is to monitor the neutrality of the national police in Angola's 18 provinces. Rules of procedure for the monitoring teams have been developed in the Political Commission and approved by CCPM. However, joint police monitoring has still not effectively started in many areas because of difficulties that both the Government and UNITA have encountered in providing transport, communications and office space for the teams.

13. In spite of these difficulties and delays, UNAVEM II military and police observers have continued to verify and assist in the implementation of the cease-fire arrangements, as well as the arrangements agreed by the two Angolan parties for monitoring the national police.

14. The Peace Accords stipulated that the Government's administration should be extended to the areas that were beyond the range of its authority. This process got under way in November 1991 but, notwithstanding renewed efforts by CCPM, the Government has not yet been able to extend its administration to a number of municipalities controlled by UNITA. This factor is still hampering another related element in the Peace Accords, which calls for the free circulation of people and goods throughout Angola. It could also impede the early stages of the electoral process. Apart from the political problems, the extension of central administration has been made difficult by the fact that many bridges are destroyed and many roads are still mined. It is important that this problem should be resolved soon.

15. Under the Peace Accords, all civilian and military prisoners held by the Government and UNITA have to be released. At the end of February 1992, the Government had freed 904 prisoners registered with the International Committee of the Red Cross (ICRC), while UNITA had released 3,043 registered prisoners. Both parties have stated that they have completed the first phase of the release of prisoners, but they still have outstanding claims against each other, action on which will constitute the second phase.

16. Apart from the Movimento Popular para a Libertação de Angola (MPLA) and UNITA, there are about 30 political parties and organizations established or emerging in Angola. The Government has conducted bilateral consultations with the political parties and forces and has also organized a multiparty conference to discuss matters including the draft electoral law, the law on the formation of political parties, the exact date for the elections, the simultaneity of the presidential and legislative elections and changes to the Constitution. UNITA did not participate in the multiparty conference but the Government subsequently discussed these matters with it separately, and a comprehensive plan for organizing the elections is emerging. However, specific preparations for these first free elections, which present a daunting challenge to the Angolan people, have barely begun. There are many logistical, administrative and financial problems that must be overcome for elections to be held in September 1992 as provided in the Peace Accords. Both parties made clear to my Special Representative their high hopes and expectations for major United Nations assistance in both organizing and supervising the elections.

17. As indicated in my letter of 6 February 1992 to the President of the Security Council, 3/ I asked my Special Representative to give priority to finalizing a plan for the United Nations to observe the elections. She has accordingly prepared the plan described below.

II. OPERATIONAL PLAN FOR UNITED NATIONS OBSERVATION OF THE ELECTIONS AND THE ENLARGEMENT OF UNAVEM II

Main assumptions

18. The United Nations electoral mission will have the explicit agreement of the two parties to the Peace Accords, who will confirm their understanding and acceptance of the mission's terms of reference and mandate.

19. The mission will be an operation limited in scale, similar in approach to the United Nations Observer Mission for the Verification of the Elections in Nicaragua (ONUVEN) and the United Nations Observer Group for the Verification of the Elections in Haiti (ONUVEH).

20. The mission will rely on the logistic and communications systems established by UNAVEM II and by United Nations agencies operating in Angola to the maximum extent possible and in an integrated manner.

21. The legislative and presidential elections will be held simultaneously in the second half of September 1992.

Terms of reference

22. The terms of reference would be as follows:

(a) To verify the impartiality of the electoral authorities in all aspects and stages of the electoral process;

/...

(b) To verify that political parties and forces, as well as individuals and groups, enjoy complete freedom of organization, movement, assembly and expression, without hindrance or intimidation;

(c) To verify that all political parties and forces have access to State radio and television, and that there is fairness in the allocation of both the timing and the length of broadcasts. The use of other public resources for electoral purposes would also be the subject of observation and possible recommendations by the electoral mission;

(d) To verify that the electoral rolls are properly drawn, and that qualified voters are not denied registration and the right to vote;

(e) To report to the electoral authorities on complaints, irregularities and interferences reported or observed and, if necessary, to request the electoral authorities to take action to resolve and rectify such complaints, irregularities and interferences;

(f) To observe all activities related to the registration of voters, the organization of the poll, the electoral campaign, the poll itself and the counting, computation and announcement of the results.

Operational plan

23. As noted in paragraph 7 above, it is intended to establish an office of the Special Representative in Luanda in the month of March, with a staff of 18 international civil servants and the requisite local staff, to coordinate all United Nations activities related to the Angolan peace process.

24. UNAVEM II would be enlarged to include an Electoral Division, headed by a Chief Electoral Officer with five international and the requisite local staff at headquarters in Luanda.

25. Offices of the Electoral Division would be established in the capitals of all 18 provinces in Angola. These offices would be supervised by six regional electoral offices, which would be colocated with the regional teams of the military component of UNAVEM II. A total of 98 international staff and the requisite number of local staff would be required for the regional and provincial offices. Work on identifying and preparing the provincial offices would have to begin in March. With a national average of five United Nations electoral observers per province, the more heavily populated provinces would receive more staff than the more sparsely populated ones. The provincial teams would be colocated with existing UNAVEM military and police observers in all 18 provinces, and would use existing UNAVEM communications facilities. More vehicles and accommodation would be required. Additional facilities would also have to be established to support additional incoming electoral staff in September 1992.

26. The Electoral Division headquarters in Luanda would direct and coordinate the activities of the regional and provincial teams and would supervise all

/...

action at the national level concerning the electoral process. The headquarters, regional and provincial staff would monitor and verify implementation of all elements in the electoral law, the law on the formation of political parties and the code of conduct which it is hoped will be agreed between the parties. The regional and provincial teams would send regular reports to Luanda headquarters concerning political and electoral developments in their areas, as well as on their own activities, and there would be periodic reports to the Security Council.

27. Three main phases of the electoral process are foreseen: the registration of voters (possibly starting in April 1992 and lasting until July or August); the electoral campaign (lasting for several weeks before the poll); and the poll itself (lasting for one or more days in the second half of September).

28. The UNAVEM electoral observers, during all three phases, would monitor and evaluate the operations and impartiality of the electoral authorities at all levels. UNAVEM would similarly evaluate the fairness of all significant decisions of the electoral authorities and would investigate disputed actions taken by them. The provincial teams would have regular contact with political parties and social organizations, and would visit municipalities and villages throughout the country; they would monitor registration by making random visits to key centres; they would observe important political rallies and other political activities; and they would verify compliance by all parties with the electoral law and with the code of conduct. The mechanisms through which broadcasting time was allotted to the different parties would also be observed and the content of information broadcasts and the fairness of tariffs would be analysed. UNAVEM would also evaluate complaints received about the use of public resources as well as making its own observations. These activities would make an important contribution to confidence-building and would be accompanied by public information programmes. It is expected that at least 95 per cent of the municipalities and main population centres would be visited at least once by UNAVEM teams and, for the more populated areas, there would be several visits.

29. A network would be created to receive complaints by political parties, analyse their relevance and transmit them to the electoral authorities and appropriate parties. The actions taken in relation to situations that might significantly affect the fairness of the elections would be carefully followed. A data bank at Luanda headquarters would incorporate the complaints received and periodic analyses of the evolution of the situation would be produced.

30. During the polling itself, the Electoral Division would field about 200 observation teams of two people each, i.e. a total of 400 people. These teams would have full access to monitor all stages of the poll, and would develop a projection of results for internal purposes. These 400 personnel would consist of the approximately 100 staff mentioned in paragraphs 24 and 25 above; about 100 additional observers to be selected from UNDP and other United Nations agency personnel in Angola, plus volunteers from selected

/...

non-governmental organizations (NGOs); about 100 additional observers from the Secretariat; and a further 100 contributed by member States.

31. It should be emphasized that this proposed operational plan and the preliminary cost estimates, which will be presented as an addendum to the present report are very modest for observing and verifying the first-ever elections in Angola, especially when compared with the costs currently projected for other recently initiated United Nations operations. Given the vast size of Angola, its difficult terrain and its degraded physical and administrative infrastructure, the allocation of an average of only five observers to each province (i.e. approximately one United Nations observer per 100,000 inhabitants) would obviously allow for only sample observation.

32. There are at present many political, administrative and logistical imponderables and uncertainties, which could radically change the direction of the process. These factors argue in favour of making maximum use of the resources that UNAVEM II, UNDP and other United Nations agencies already have in Angola. The existing mandated strength of 350 United Nations military observers and 90 United Nations police observers, and existing support services, should be maintained. The requirements for additional administrative support staff will be detailed in the budget that I will present to the General Assembly and will be reflected in the preliminary cost estimates referred to above. Given the present uncertainties, further needs for personnel and equipment may emerge, and I will address the appropriate bodies again if the need should arise.

33. The current unsettled security situation in many areas of the country may make it necessary to provide UNAVEM II with security services for its election operation. These could be obtained on a contract basis from international security firms currently operating in Angola, which would be less expensive than deploying United Nations guards or additional military or police personnel from the troop-contributing countries for this task.

III. OBSERVATIONS

34. Much has been achieved in implementation of the Angolan peace process, but there remains much to be done to ensure that these gains are followed through to completion. The timetable for implementation of the Accords cannot be delayed further. All Angolan parties and forces must join together urgently in making renewed commitments to realistic and workable timetables and methods for implementing the Peace Accords until achievement of the goal: free and fair elections in September 1992.

35. There is no reason to delay the demobilization of troops any longer. They should be able to begin returning to civilian life through an organized programme. Clarifications must be exchanged between the parties about their troops outside the assembly areas, so that they can be accounted for and monitored, as CCPM agreed on 30 January 1992. Establishment of a unified civilian police force, as well as the formation of joint military police units

/...

within the new national army, are high priorities. Every effort should be made to extend the Government's administration and to restore security throughout the country so that normal economic, social and political activities can be carried out without fear or intimidation. These are priority tasks that must be accomplished rapidly to ensure the success of the electoral process.

36. Moreover, there should be early national consensus on the essential elements for organizing the elections. These include agreement on the date for the elections and simultaneity of the legislative and presidential elections; the establishment of a workable National Electoral Council; the minimum voting age; and a comprehensive, detailed budget allocated by the Government.

37. As my Special Representative repeatedly emphasized during her visit, the Angolan elections are essentially a national, sovereign affair. The United Nations role is to observe and verify the elections, not to organize them. The Government must be seen clearly to be taking charge of their organization, especially concerning logistics. The Government and UNITA should make available as soon as possible all available resources, including accommodation, vehicles, aircraft, communications equipment and personnel. It is, however, unlikely that national resources, even if fully mobilized, will be adequate for this task and urgent supplements from the international community and bilateral donors are certain to be needed. It is also necessary that the registration of voters be practical and workable and not aim for a level of sophistication that is likely to be expensive, unnecessary and almost certainly unattainable, given the conditions existing in Angola. It is, moreover, essential that a strict schedule for the electoral process be maintained so that the elections can be held in September 1992. Unless the necessary political, legal, organizational and budgetary prerequisites are fulfilled very soon, the effectiveness of United Nations electoral observation as well as voter registration could be put in question.

38. While emphasizing the responsibility that lies with the Government, and with the Angolan political parties, to take now the steps necessary to ensure free and fair elections in September, I believe that the United Nations should make every possible effort, within the limits of its mandate and resources, to assist the process, in accordance with the request received from the Angolan Government. Accordingly, having considered the report that my Special Representative presented to me on her return from Angola, I recommend to the Security Council that UNAVEM's mandate, strength and composition be enlarged in the manner described above.

39. This new role for the United Nations in Angola, if approved by the Security Council, will be a daunting challenge, given the devastated condition of the country, the almost total lack of the infrastructure that will be necessary for the electoral process, and the major political, logistical and administrative uncertainties now evident. The efforts that will have to be undertaken, above all by the Angolan people themselves, in the organization of their first free and fair elections, which are an essential precondition for

/...

S/23671
English
Page 10

peace and political stability, deserve the support not only of the United Nations, but also of all those concerned with the future of Angola.

Notes

- 1/ See S/22609.
- 2/ S/22627.
- 3/ S/23556.
- 4/ S/23557.



Security Council

Distr.
GENERAL

S/23671/Add.1
20 March 1992

ORIGINAL: ENGLISH

FURTHER REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS
ANGOLA VERIFICATION MISSION (UNAVEM II)

Addendum

1. As I indicated in my report to the Security Council (S/23671), it is my intention to establish an office of the Special Representative for Angola in Luanda to coordinate all United Nations activities related to the Angolan peace process and to enlarge the United Nations Angola Verification Mission (UNAVEM II) to include an Electoral Division, for the purpose of observing and verifying the Angolan electoral process until its completion in the last quarter of 1992. This is in response, as outlined in the main report, to the request of the Government of the People's Republic of Angola.
2. In order to carry out the expanded responsibilities it will be necessary to establish an office of the Special Representative in Luanda in March 1992 and to add an Electoral Division with six regional offices. These offices will require a total of 141 international personnel inclusive of 18 administrative support staff, and a total of 68 local staff.
3. During the polling itself, 400 electoral observers will be required, of whom 100 will come from existing staff of UNAVEM, another 100 will be selected from the United Nations Development Programme (UNDP), other United Nations agency personnel in Angola and volunteers from selected non-governmental organizations, an additional 100 will come from the United Nations Secretariat and a further 100 will be contributed by Member States. There will also be additional requirements for premises/accommodations, transport and air operations, communication and miscellaneous equipment, supplies and services, and public information programmes.
4. Should the Security Council decide to expand the mandate of UNAVEM II as set out in the main part of the present report, it is estimated that the additional cost of the expansion for the period from 15 March 1992 until the end of the present mandate of UNAVEM on 31 October 1992 would be approximately \$18.8 million. A breakdown of the estimated cost by main categories of expenditure is provided for information purposes in the annex to the present addendum.

S/23671/Add.1

English

Page 2

5. It would be my recommendation to the General Assembly, should the Security Council decide to expand the mandate of UNAVEM, that the additional cost relating thereto should be considered an expense to the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessments to be levied on Member States be credited to the UNAVEM Special Account.

/...

Annex

Cost estimates of the expansion of the United Nations
Angola Verification Mission (UNAVEM II) from 15 March
to 31 October 1992

(In thousands of United States dollars)

1. Civilian personnel, including travel to mission area	14 420
2. Premises, construction and maintenance	170
3. Vehicle operations	840
4. Aircraft operations	550
5. Communications	800
6. Miscellaneous equipment	400
7. Miscellaneous supplies, services, freight and support costs	1 325
8. Public information programmes	<u>245</u>
Total	<u><u>18 750</u></u>



Security Council

Distr.
GENERAL

S/23672
3 March 1992

ORIGINAL: ENGLISH

FURTHER REPORT BY THE SECRETARY-GENERAL PURSUANT TO
PARAGRAPH 4 OF SECURITY COUNCIL RESOLUTION 731 (1992)

1. The present further report is being submitted pursuant to paragraph 4 of Security Council resolution 731 (1992), by which the Council requested the Secretary-General to seek the cooperation of the Libyan Government to provide a full and effective response to the requests referred to in that resolution.

2. Following the circulation of the Secretary-General's earlier report on this subject, 1/ the Secretary-General met with the Permanent Representatives of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America on 17 February 1992. They requested the Secretary-General to convey to the Libyan leader, Colonel Muammar Qaddafi, Leader of the First of September Revolution, the following points on behalf of their Governments:

(a) The three Governments consider that the statement by the Libyan Government delivered to the Secretary-General of the United Nations through the Permanent Representative of the Libyan Arab Jamahiriya in New York, in which the Libyan Arab Jamahiriya expresses its readiness to abide by the Security Council resolution and to cooperate fully with their requests as referred to in resolution 731 (1992), represents a step forward only if it is supported by action;

(b) In this connection, the three Governments support the request of the French Government and would like to be informed of the mechanism by which the Libyan authorities will hand over the records and documentation requested, and whatever else may be requested by the French examining magistrate, and of where and when the Libyan authorities intend to do so;

(c) The Governments of the States in question would further like to know the time, place and modality of the hand-over by the Libyan authorities of the two persons charged and the information and evidence requested and the precise measures that the Libyan Government intends to take in order to end support for terrorism in all its forms;

(d) The three Governments have no objection to the hand-over of the suspects and the information requested taking place through the

Secretary-General of the United Nations in accordance with paragraph 4 of resolution 731 (1992);

(e) The three Governments believe that their requests are clear and precise and that they do not require further clarification;

(f) With regard to the question of compensation, the three States seek to obtain assurances from the Libyan Arab Jamahiriya with regard to its responsibility in this connection.

3. Following consultations with the Libyan authorities, the Secretary-General again sent Under-Secretary-General Vasiliy Safronchuk to Tripoli to convey to Colonel Qaddafi a second message containing the above points and he asked the Libyan Leader to give him a precise and detailed reply.

4. Mr. Safronchuk first met with Colonel Qaddafi on 24 February 1992. He then travelled to Geneva on 25 February in order to report to the Secretary-General Colonel Qaddafi's reaction to his message. He then returned to the Libyan Arab Jamahiriya and met again with Colonel Qaddafi on 27 February. In the course of the two meetings the head of the Libyan State made the following points:

(a) There are constitutional obstructions preventing Colonel Qaddafi or the Libyan administration from handing over Libyan citizens abroad for trial in the absence of an extradition treaty;

(b) He may address an appeal to the Libyan people through the People's Committee, which might result in the removal of these obstructions. He did not indicate how long it would take to overcome the existing constitutional hurdles;

(c) Once the constitutional problems were solved, the Libyan Arab Jamahiriya could be inclined to consider France as the possible venue for a trial of the Libyan citizens; however, France had not requested that any suspects be handed over to it for trial;

(d) Although the Libyan authorities could not forcibly hand over the suspects for trial in a foreign country, the suspects were free to hand themselves over voluntarily and the Government of the Libyan Arab Jamahiriya had no intention of preventing them from doing so;

(e) The possibility of handing over the suspects to the authorities of third countries for trial may be considered. In this context Malta or any Arab country were mentioned by the Libyan Leader;

(f) Improvement of bilateral relations between the Libyan Arab Jamahiriya and the United States would make it possible to hand over the two suspects to the United States authorities;

(g) The Libyan Arab Jamahiriya is prepared to cooperate in every way possible to put an end to terrorist activities and sever its relations with all groups and organizations that target innocent civilians. It will not allow its territory, citizens or organizations to be used in any way for carrying out terrorist acts directly or indirectly. It is prepared to punish most severely anyone proven to be involved in such acts;

(h) It is premature to discuss the question of compensation, which can result only from a civil court decision. However, the Libyan Arab Jamahiriya will guarantee the payment of compensation awarded as a result of responsibility of its suspected citizens if they are unable to pay it themselves;

(i) The Libyan Arab Jamahiriya agrees to the French request. As a means of giving effect to these requests, the Libyan Arab Jamahiriya agrees to act on the French proposal that a judge come to the Libyan Arab Jamahiriya to investigate the case as he may see fit. It agrees to provide the French judge with a copy of the minutes of the investigation carried out by the Libyan judge;

(j) The Secretary of the People's Committee for Foreign Liaison and International Cooperation of the Libyan Arab Jamahiriya, Mr. Ibrahim M. Bishari, on 27 February 1992 addressed a letter to the Secretary-General of the United Nations in which some of these points are reiterated (see annex I). The Secretary-General received a second letter from the Secretary on 2 March 1992 (see annex II, enclosure).

5. On 26 February, while in Geneva the Secretary-General met with a special envoy of Colonel Qaddafi, Mr. Yusef Debri, Head of Libyan Intelligence, with whom the entire situation was reviewed.

6. From the foregoing, it will be seen that while resolution 731 (1992) has not yet been complied with, there has been a certain evolution in the position of the Libyan authorities since the Secretary-General's earlier report of 11 February 1992. ^{1/} The Security Council may wish to consider this in deciding on its future course of action.

Notes

^{1/} S/23574.

Annex I

Letter dated 27 February 1992 from the Secretary of the
People's Committee for Foreign Liaison and International
Cooperation of the Libyan Arab Jamahiriya addressed to
the Secretary-General

[Original: Arabic]

Proceeding from the adherence of the Great Jamahiriya to the rules of international law and to respect for the provisions of the Charter of the United Nations,

In its desire to promote international peace and security, to strengthen friendly relations between States, to ensure stability in international relations, to condemn all modes of the threat or use of force and to condemn international terrorism,

Seeking to cooperate closely with the United Nations and its Secretary-General, and basing itself on the human rights covenants and laws that regard the right to litigation before a fair and impartial court as an essential guarantee of justice,

Understanding the role entrusted to the Secretary-General of the United Nations, and seeking to demonstrate its sincerity in meeting its international obligations,

The Jamahiriya, despite all the technical, legal and judicial difficulties raised by its national legislation, by international agreements, by the principles of sovereignty and by the Charter of the United Nations, with which we deem Security Council resolution 731 (1992) to be incompatible, nevertheless expresses its full readiness to cooperate with the Secretary-General of the United Nations in facilitating the task entrusted to him under paragraph 4 of Security Council resolution 731 (1992),

To that end, the Jamahiriya proposes the following mechanism:

1. It has no objection in principle to handing over the two suspects to the Office of the United Nations Development Programme in Tripoli for questioning.
2. The Secretary-General of the United Nations should undertake to form a legal committee made up of judges whose probity and impartiality are well attested in order to inquire into the facts, ascertain whether the charges made against the two suspects are well founded and conduct a comprehensive inquiry.
3. Should it become evident to the Secretary-General of the United Nations that the charge is well founded, the Jamahiriya will not oppose the hand-over of the two suspects, under his personal supervision, to a third party, while stressing that they should not again be handed over.

/...

4. The Secretary-General of the United Nations should endeavour to provide all legal and judicial guarantees for the conduct of a just and fair trial based on the International Bill of Human Rights and the principles of international law.

With regard to the French requests

Libya agrees to the French requests. As a means of giving effect to these requests, the Jamahiriya agrees to act on the French proposal that a magistrate should come to Libya to investigate the case in the manner that he deems fit. It agrees to provide the French magistrate with a copy of the minutes of the investigation carried out by the Libyan judge.

With regard to the issue of terrorism

The Jamahiriya affirms its outright condemnation of terrorism in all its forms and whatever its source, and it denies the allegations concerning its involvement in any terrorist acts. Accordingly, it is prepared to undertake the following:

1. The Jamahiriya, denying this allegation, has no objection to the Secretary-General or his representative investigating the facts in the Jamahiriya in order to refute or confirm it. The Jamahiriya undertakes to provide all the facilities and information that the Secretary-General or his representative may deem it necessary to have in order to arrive at the truth. The Jamahiriya is of the view that it is possible to draw up an agreement, or bilateral or multilateral agreements, designating the ways and means necessary for the elimination of international terrorism, and it is prepared to enter into bilateral or multilateral discussions to that end.

2. Libya expresses its readiness to cooperate in any matter that may put an end to terrorist activities and to sever its relations with all groups and organizations which target innocent civilians.

3. Libya shall not, under any circumstances, permit the use of its territory, its nationals or its institutions for the perpetration, directly or indirectly, of any terrorist acts, and it is prepared to impose the severest penalties on those against whom involvement in such acts can be proved.

4. Libya undertakes to respect the national choices of all States and to build its relations on a foundation of mutual respect and non-interference in internal affairs.

The proposals contained in this draft shall be binding on Libya if they are accepted by the other party. The results arrived at, whatever they may be, shall be binding on all, a new chapter shall be opened in relations between the two sides, State terrorism against Libya shall end, there shall be a halt to threats and provocations against it, its territorial integrity, its

/...

sovereignty and the integrity of its territorial waters shall be guaranteed, the economic boycott shall be ended, its political choices shall be respected and its name shall finally be removed from the roster of terrorism.

With regard to compensation

Despite the fact that discussion of the question of compensation is premature, since it would only follow from a civil judgement based on a criminal judgement, Libya guarantees the payment of any compensation that might be incurred by the responsibility of the two suspects who are its nationals in the event that they were unable to pay.

The Jamahiriya stresses to the Secretary-General and to the Security Council that all parties must contribute to cooperation and not one party alone. To this day, despite all the cooperation that the Jamahiriya has evinced and has demonstrated in practice, the three States in question have not responded to its legitimate request for them to provide it with the dossiers of the investigation on the basis of which the parties concerned presume to make charges against the two suspects. Saddened as it is at the lack of cooperation on the part of these parties, it requests you and the Council to intercede with them in this matter.

In conclusion, the Jamahiriya appreciates your role and salutes your contribution, and it affirms once more its readiness to cooperate in such a manner as to ensure the success of your endeavours.

(Signed) Ibrahim M. BISHARI
Secretary of the People's Committee for
Foreign Liaison and International
Cooperation

Annex II

Letter dated 2 March 1992 from the Permanent Representative of
the Libyan Arab Jamahiriya to the United Nations addressed to
the Secretary-General

[Original: Arabic]

I have the honour to transmit to you herewith the text of a letter addressed to you by Mr. Ibrahim M. Bishari, Secretary of the People's Committee for Foreign Liaison and International Cooperation.

(Signed) Ali Ahmed HOUDEIRI
Permanent Representative

/...

Enclosure

Letter from the Secretary of the People's Committee
for Foreign Liaison and International Cooperation
of the Libyan Arab Jamahiriya addressed to the
Secretary-General

Since the announcement of the presumed suspicion of two Libyan nationals in the matter of the regrettable incident involving Pan Am flight 103 - in which innocent people were victims and with regard to which, as before, I can only express the grief invoked in me by the incident and by the victims who died in it - the popular authorities in the Jamahiriya have taken the measures required in such cases by the law and by international covenants. The United Kingdom and the United States, however, submitted to the competent Libyan authorities requests for the extradition of the two Libyan nationals for the purpose of bringing them to trial themselves, and they have constantly insisted, despite the proposals made by the competent authorities in the Jamahiriya, on requesting extradition and nothing else, thereby overstepping the limits of our domestic law and international rules and customs.

As you know, the United Kingdom and the United States convened a meeting of the Security Council on the regrettable aircraft incident and succeeded in having the Council adopt a resolution urging the Jamahiriya to respond to their requests with regard to the relevant legal procedures. Following the adoption of the resolution, the Jamahiriya announced that it would respond in a manner in keeping with its sovereignty and the rule of law, and it took practical steps for the implementation of the resolution as it related to legal investigations.

In this connection, I should like to say that the Jamahiriya, a State Member of the United Nations, did not refuse extradition in itself. The domestic institutions of the Jamahiriya, however, whether administrative or judicial, were faced with a legal obstacle, namely that the Libyan law which has been in force for more than 30 years does not permit the extradition of Libyan nationals. This is a law which is fully in keeping with all the world's legal systems. The competent authorities in the Jamahiriya could find nothing that would enable them to respond to the requests made by these States other than by violating the law, and this is something that cannot be done in any civilized State which is a Member of the United Nations. It is this that is the obstacle, and it is, as you can see, a legal obstacle and not by any means a political one. The Libyan authorities cannot bypass this legal obstacle or violate the rights of citizens protected by the law.

You are aware that the United Kingdom and the United States are intimating that they are about to convene another meeting of the Security Council in order to seek the adoption of another resolution on the same matter. It goes without saying that the convening of such a meeting and the adoption of a resolution, whatever its character might be, will change nothing. The legal obstacle indicated above will remain as it is, and it

/...

cannot be altered by a decision of the Security Council, whether a recommendation or a binding resolution. It would be pointless to adopt such a resolution because of its futility and the impossibility of its implementation in light of the domestic law in force and of international rules and customs while the competent authorities proclaim that they have no objection to extradition or to trial in any locality.

I have sought to address this letter to you so that we may convey to you a picture of the legal situation as it really is. I should like to advise you, however, that the solution to this matter falls within the purview of the law and not elsewhere and that attempts to bypass the law, even by means of resolutions, binding or non-binding, would seem to be both unhelpful and unwarranted since there is no party that is deliberately raising objections. It is rather the law that has objections, and it is not rational to put pressure on the law by the adoption of resolutions by the Security Council or by any other body.

(Signed) Ibrahim M. BISHARI
Secretary of the People's Committee
for Foreign Liaison and International
Cooperation



Security Council

Distr.
GENERAL

S/23673
4 March 1992

ORIGINAL: ENGLISH

Note by the Secretary-General

The Secretary-General has the honour to refer to the statement issued by the President of the Security Council on 28 February 1992 (S/23663) concerning the report of the special mission recently dispatched by the Secretary-General to Iraq (S/23643). In the statement by the President, reference is made to a letter of 28 February 1992 addressed to the Chairman of the Special Commission established under Security Council resolution 687 (1991) by the Minister of State for Foreign Affairs of Iraq. That letter, previously made available informally, is transmitted herewith for the information of the members of the Council together with the communication of 14 February 1992 from the Chairman of the Special Commission to which the Iraqi letter is a response.

Annex I

Letter dated 14 February 1992 from the Executive Chairman
of the Special Commission addressed to the Permanent
Representative of Iraq to the United Nations

I have the honour to transmit herewith two letters of today's date which I have addressed to the Adviser of the Minister for Foreign Affairs, Mr. Wissam Al-Zahawi, concerning a notification of inspection of Iraq's ballistic missiles and the destruction of the missile repair and production facilities by the Special Commission under the relevant resolutions of the Security Council. I would be most grateful if you could arrange for the immediate transmission of the enclosed letters to Mr. Al-Zahawi.

(Signed) Rolf EKEUS
Executive Chairman
Office of the Special Commission

Enclosure I

Letter dated 14 February 1992 from the Executive Chairman
of the Special Commission addressed to the Adviser to the
Minister for Foreign Affairs of Iraq

I have the honour to inform you of a further inspection under the terms of Security Council resolution 687 (1991). The Special Commission intends to carry out an inspection of Iraq's ballistic missiles locations and associated equipment during the period 21 to 29 February 1992. During the same period, the team will also begin the implementation of the destruction of the missile repair and production facilities relevant to Security Council resolution 687 (1991). In the latter regard further details are set out in my separate letter of today's date (see enclosure II).

This letter is therefore a formal notification of this ballistic missile inspection and of the requirements of the Special Commission in that regard, which may be supplemented at a later date if necessary.

1. Composition of the team

The team will consist of seven inspectors and approximately five support personnel. The Chief Inspector will be Mr. Christopher Holland. The names of the remaining team members will be communicated to your Government in due course.

2. Arrival in Iraq

The team will arrive in Iraq from Bahrain by United Nations aircraft on 21 February. Your Government will be informed of the flight plan in due time.

3. Departure from Iraq

The inspection team hopes to complete this inspection by 28 February and to depart from Iraq for Bahrain on 29 February.

4. Sites to be inspected

It is the intention of the Special Commission to conduct inspections at declared and undeclared sites and to verify the destruction of certain ballistic missile repair and production items.

Prior to the beginning of inspection activities at each site, a detailed briefing describing the location and function of buildings and equipment subject to inspection is requested. The team also requests copies of detailed site diagrams annotated with building identifications and functions.

/...

5. Transportation

The inspection team plans to travel from its lodging to the inspection sites by vehicle or by helicopters provided by the United Nations Special Commission, depending on the distance. If travelling by helicopter, a sufficient number of vehicles is requested to be made available at the inspection area.

6. Medical

Medical requirements will be coordinated directly by the Special Commission's medical coordinator, Dr. Nigel Murray, who is residing at the Sheraton Hotel in Baghdad.

(Signed) Rolf EKEUS
Executive Chairman

Enclosure II

Letter dated 14 February 1992 from the Executive Chairman
of the Special Commission addressed to the Adviser to the
Minister for Foreign Affairs of Iraq

I would like to inform the Government of Iraq of the decisions taken by the Special Commission concerning the destruction of missile capabilities under Security Council resolution 687 (1991). In the process of preparing these decisions the Special Commission considered the requests of the Iraqi authorities for the reuse of certain equipment, materials and buildings that were used or were intended to be used in ballistic missile activities prohibited by Security Council resolution 687 (1991).

By this resolution the Security Council clearly provided for "the destruction by Iraq, under the supervision of the Special Commission, of all its missile capabilities including launchers, as specified under paragraph 8 (b)" of the resolution, which refers to all ballistic missiles with a range greater than 150 kilometres and related major parts, and repair and production facilities. In particular, the relevant facilities in Al-Qa'qa establishment, as well as Dhu al-Fiqar factory, Taj al-Ma'arik factory and Al-Yawm al-Azim factory constitute integral important parts of these missile capabilities.

After careful examination on a case-by-case basis of the requests of Iraq for the reuse of a number of items, the Special Commission can agree that some of them could be considered for reuse. The list of specific items to be destroyed is contained in annex A to this letter. The list of items for possible reuse is contained in annex B. The Special Commission may authorize such a release only in exceptional cases provided of course that the reuse of the item will not prejudice in any way the destruction of the missile capabilities prohibited by resolution 687 (1991). Such a release could be made only in response to clearly identified civilian needs of Iraq and will require special arrangements for the reuse of the item, including appropriate monitoring arrangements under the plan for future ongoing monitoring and verification of Iraq's compliance with relevant parts of section C of resolution 687 (1991) (S/22871/Rev.1) approved by the Security Council in its resolution 715 (1991).

The inspection team (UNSCOM 28) that will be in Iraq on 21 to 28 February is instructed to verify the destruction of the following items:

Dhu al-Fiqar: Computer DEA
INSTRON cooling chamber
INSTRON measurement
Motor case transport dollies
Cooler

/...

Taj al-Ma'arik: 300-gallon mixer (2)
300-gallon mixer bowls (3)

Al-Yawm al-Azim: Cradle for BADR-2000
Electronic test equipment in guardhouse

The inspection team will be authorized to request and supervise the destruction of other items from the list in annex A depending on the circumstances at the specific site or the condition of the specific site or the condition of the specific item.

I therefore request that the necessary measures be taken to implement the destruction operations under the supervision of the Special Commission personnel from UNSCOM 28.

For items in annex A that are not destroyed during UNSCOM 28, I request that an operational plan with a timetable and destruction methods be submitted to the Special Commission by 4 March 1992 so that actual destruction operations may be carried out by Iraq under the supervision of the Special Commission during the second half of March and early April.

At present I can only reiterate the position stated in my letter dated 20 December 1991 to the Permanent Representative of Iraq to the United Nations that the Special Commission will not be in a position to decide upon the requests of Iraq for the reuse of items until it obtains clear and unequivocal acceptance by Iraq of resolution 715 (1991) and the plan for ongoing monitoring and verification approved thereunder.

It continues to be a matter of deep concern to the Special Commission that Iraq, by failing to provide by 15 January 1992 its first semi-annual report under the plan for future ongoing monitoring and verification approved by the Security Council, is not complying with resolution 715 (1991) by which the Security Council demanded that Iraq meet unconditionally all its obligations under the plan.

(Signed) Rolf EKEUS
Executive Chairman

Annex A

Items which must be destroyed

1. Dhu al-Figar

MIG longitudinal welder, seal No. 05290, Divisione Italargon

Extruder, Lincoln GmbH McNeil, seal No. 05294

CNC turning lathe, Torni Tachi, seal No. 05306; (CNC made by ECS, Florence, Italy)

Computer, DEA, seal No. 05307

INSTRON cooling chamber part, seal No. 05309

INSTRON extension measurement unit, seal No. 05310

Hydraulic press, 300 ton, Werner & Phleiderer, seal No. 05311

Longitudinal, flange and dome welders

Wrapping machines

Colander/extruder for the production of the motor case thermal liner

Equipment in building 311:

Motor case rolling machine

Motor case transport dollies

Ageing oven

Hydraulic press

Motor case external surface sand-blasting unit

X-ray chamber with equipment

Equipment in building 411:

Coolers

Hydraulic press (sealed)

Sand-blasting cabinet

Drums with composite solid propellant constituents including TDI

/...

2. Taj al-Ma'arik factory

Drums of aluminium powder and hexamethylene di-isocyanate at building 123

70 100-kg barrels containing ammonium perchlorides (APC) (200-micron size) at building 116

120 drums containing APC (200-micron size) at building 114

Building 148 (oxidizer-conditioning building)

Building 156:

300 gallon mixer

Building 155:

300 gallon mixer

Mixing bowls (300 gal) (3)

Building 162 itself with casting/curing chambers, tilting mechanism and cradle

Building 141 itself with colander, press and curing oven for the thermal insulation and degreasing and the sand-blasting machines

Aluminium powder at the building between buildings 191 and 141

Building 145

Building 146

Building 147

Building 165

19 barrels of hydroxy-terminated polybutadiene (HTPB) in building 221

Two large HTPB tanks building 252

Tilting mechanism and cradle in building 191

3. Al-Yawm al-Azim factory

168 100-kg drums of APC (141 drums of 200-micron size and 27 drums of 400-micron size at building 511 and the building itself

Drums of composite propellant constituents including APC at building 510 and the building itself

/...

Cooling and heating chamber in building 525

Cradle for BADR-2000 in building 520

Building 531

Structure 532

Electronic test equipment evacuated to the guardhouse at the extreme south-east corner of the facility

4. Al-Oa'Oa State establishment

Unit for filling R/17 and Al-Hussein warheads

/...

Annex B

Items for possible reuse

1. Dhu Al-Figar

Lathe, damaged, seal No. 05292

Lathe, new, Hengstler, seal No. 05293

X-ray spectrometer, Philips, PW1404, seal No. 05308

Sawing and milling machines

Lathes in building 311

Drilling and milling machines in building 311

Building 311

Building 411

2. Taj al-Ma'arik factory

Bunkered storage buildings 114 to 117 and 121 to 125

Building 172

Building 163

Building 164

Building 252

Building 191

3. Al-Yawm al-Asim factory

Building 525

Buildings 560 and 561

Building 520

Building 533

/...

Annex II

Statement dated 14 February 1992 by the Executive Chairman
of the Special Commission

The ballistic missile inspection team headed by Mr. Christopher Holland has come to Iraq to supervise the carrying out by Iraq of certain of its obligations under Security Council resolution 687 (1991). Under paragraph 8 of that resolution Iraq must and has unconditionally accepted the destruction, removal or rendering harmless, under international supervision, of "all ballistic missiles with a range greater than 150 kilometres and related major parts and repair and production facilities".

All ballistic missiles declared by Iraq have already been destroyed and the process of implementing the destruction of missile capabilities has now reached the stage of the disposal of related major parts and repair and production facilities. A list of the parts and facilities to be destroyed under the supervision of the Special Commission, commencing with the current inspection team, and a list of those items in respect of which the Special Commission has reserved its final decision has also been furnished to the Government. The Chairman of the Special Commission wishes to stress that the decision of the Commission as to the items to be destroyed is a final one and the Chief Inspector has no discretion to permit any exceptions. The Chairman of the Commission further wishes to stress that, under the Security Council's decision, Iraq's obligation to carry out determinations of the Special Commission regarding the disposal of major parts and repair and production facilities is unconditional. The Chief Inspector has instructions to report immediately to the Chairman of the Special Commission if he encounters any difficulties in obtaining full and prompt compliance with the decisions which have been conveyed to the Iraqi authorities, so that the Chairman will be in a position to report promptly to the Security Council on such non-compliance.

(Signed) Rolf EKEUS
Executive Chairman
Office of the Special Commission

/...

Annex III

Letter dated 28 February 1992 from the Chargé d'affaires a.i.
of the Permanent Mission of Iraq addressed to the Executive
Chairman of the Special Commission

[Original: Arabic]

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 28 February 1992 from Mr. Muhammad Said Al-Sahhaf, Minister of State for Foreign Affairs of Iraq, addressed to you.

(Signed) Samir K. K. AL-NIMA
Chargé d'affaires a.i.

/...

Enclosure

Letter dated 28 February 1992 from the Minister of State
for Foreign Affairs of Iraq addressed to the Executive
Chairman of the Special Commission

[Original: Arabic]

With reference to your letter of 14 February 1992, concerning the reuse of the equipment, materials and buildings of certain plants devoted to ballistic missile activities, and to your second letter of the same date, concerning the instruction to the Chief of the inspection team to destroy a number of pieces of equipment at these plants, we should like to convey to you the following comments and proposals:

1. In its letter of 19 November 1991, which was communicated to you through the UNSCOM Office in Baghdad, the Iraqi side expressed the clear desire and readiness to modify and alter the equipment for the BADR-2000 project with a view to its reuse for purely civilian purposes relating to the production of liquid-fuel tanks and rubber insulating materials for the oil industry, in the manufacture of civilian explosives used in highway construction and limestone quarries and in the manufacture of 100-kilometre-range Ababil missiles. We supported our request with designs and clarifications affirming and guaranteeing that the modifications and alterations in question were permanent, definitive and absolutely irreversible.

2. During your recent visit to Baghdad from 21 to 24 February 1992, the Iraqi side discussed with you for a second time the details of this matter, and Iraqi technicians explained to you the practical possibility of ensuring the reuse of this equipment for activities that are not in any way incompatible with the letter or spirit of Security Council resolution 687 (1991). The Iraqi side assured you of its complete readiness to invite experts in the field for a dialogue to be conducted and for on-site inspections of the equipment in question with a view to drawing up a definitive formula for the reuse of the equipment in such a manner as positively to ensure the impossibility of its use for any prohibited activity.

During the discussion of the details of this matter with you, our understanding was that discussion of the question of the destruction of this equipment by the ballistic missiles inspection team would be postponed until the visit of the experts to be sent by you in response to our request for an analysis of the sensitivity of the equipment and for an appropriate decision to be reached in its regard.

3. We were, however, surprised when, on the afternoon of 26 February 1992, the missile inspection team received instructions from New York ruling a halt to its other activities, calling for it to proceed immediately to the destruction of the equipment at the BADR-2000 plants and requesting the Iraqi side to give a yes-or-no answer on the matter. Our answer was that this delicate matter was still under study by the higher authorities.

/...

That missiles of a range greater than 150 kilometres should be destroyed is clear, on the basis of the requirements for the implementation of Security Council resolution 687 (1991). It is not, however, clear and neither can it be justified that a particular machine or piece of equipment should be destroyed when it can be modified and altered in such a way as to become permanently incapable of producing any weapon or any prohibited item and will remain useful for non-prohibited activities.

In light of the foregoing, on the basis of our understanding in the course of the conversations of the Iraqi side with you at the time of your recent visit and on the basis of our firm desire to strengthen mutual understanding and build confidence on objective foundations between Iraq and the Special Commission, we request that no decision be taken at present with regard to the implementation of the plan for the destruction of the equipment in question. We propose that the matter should be considered within the general picture of the totality of the substantive matters which the high-level Iraqi delegation will present to the Security Council and to you during the month of March for the purpose of arriving at a full picture of Iraq's programmes relating to weapons of mass destruction and preventing their reuse for any prohibited activity while preserving Iraq's industrial capabilities for civilian and non-prohibited purposes.

We hope that you will consider our request in an objective and positive manner, and we assure you of our desire to cooperate with you and with the Special Commission with a view to the implementation of our relevant obligations.

(Signed) Muhammad Said AL-SAHHAF
Minister of State for Foreign Affairs



Security Council

Distr.
GENERAL

S/23674
4 March 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 28 FEBRUARY 1992 FROM THE PERMANENT
MISSION OF PAKISTAN TO THE UNITED NATIONS ADDRESSED TO
THE SECRETARY-GENERAL

The Permanent Mission of the Islamic Republic of Pakistan to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to refer to his note dated 28 January 1992 concerning Security Council resolution 733 (1992).

The Permanent Mission of Pakistan has the further honour to inform him that the Government of Pakistan is complying with its obligations under paragraphs 5 and 6 of Security Council resolution 733 (1992) concerning a general and complete embargo on all deliveries of weapons and military equipment to Somalia.



Security Council

Distr.
GENERAL

S/23675
4 March 1992
ENGLISH
ORIGINAL: FRENCH

NOTE VERBALE DATED 2 MARCH 1992 FROM THE PERMANENT
REPRESENTATIVE OF THE LAO PEOPLE'S DEMOCRATIC
REPUBLIC TO THE UNITED NATIONS ADDRESSED TO THE
SECRETARY-GENERAL

The Permanent Representative of the Lao People's Democratic Republic to the United Nations presents his compliments to the Secretary-General and, with reference to his note verbale SCPC/2/92(1) of 28 January 1992, has the honour to inform him that the Government of the Lao People's Democratic Republic has taken all necessary measures to implement the provisions of Security Council resolution 733 (1992) concerning the establishment of a general and complete embargo on all deliveries of weapons and military equipment to Somalia.



Security Council

Distr.
GENERAL

S/23676
4 March 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 28 FEBRUARY 1992 FROM THE PERMANENT
MISSION OF PAKISTAN TO THE UNITED NATIONS ADDRESSED TO
THE SECRETARY-GENERAL

The Permanent Mission of Pakistan to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to refer to his notes dated 28 January and 7 February 1992.

The Permanent Mission of Pakistan wishes to inform him that the Government of Pakistan is complying with its obligations under paragraph 6 of Security Council resolution 713 (1991) concerning a general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia.



Security Council

Distr.
GENERAL

S/23677
4 March 1992
ENGLISH
ORIGINAL: SPANISH

NOTE VERBALE DATED 3 MARCH 1992 FROM THE PERMANENT MISSION OF
CUBA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Cuba to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to inform him, in fulfilment of Security Council resolution 733 (1992), that Cuba engages in no commercial or any other type of trade in weapons and military equipment with Somalia.



Security Council

Distr.
GENERAL

S/23678
4 March 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 3 MARCH 1992 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF THE ISLAMIC REPUBLIC OF IRAN TO THE
UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Chargé d'affaires a.i. of the Islamic Republic of Iran to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to the latter's note of 28 January 1992, has the honour to inform him that the Government of the Islamic Republic of Iran has had no arms export agreement with Somalia. The Government of the Islamic Republic of Iran confirms that it will comply fully with the complete embargo on all deliveries of weapons and military equipment to Somalia in accordance with Security Council resolution 733 (1992).



Security Council

Distr.
GENERAL

S/23679
4 March 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 2 MARCH 1992 FROM THE PERMANENT
REPRESENTATIVE OF GUYANA TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Guyana to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to forward the following response to his note of 16 December 1991.

Guyana has no arms industry and has never purchased weapons on behalf of or traded in military equipment with Yugoslavia. Guyana does not plan to encourage or facilitate the sale of weapons or military equipment to Yugoslavia. Guyana has therefore complied fully with the provision of Security Council resolution 713 (1991).
